

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

TRE BARBER,

Plaintiff,

v.

Case No. 23-cv-10095  
Honorable Linda V. Parker

CUNNINGHAM, et al.,

Defendants.

/

**OPINION & ORDER OF DISMISSAL**

Before the Court is Michigan prisoner Tre Barber's pro se civil rights complaint brought pursuant to 42 U.S.C. § 1983. When he filed the complaint, Barber did not pay the required filing fee and administrative fee, nor did he submit an application to proceed without prepayment of the filing fee as necessary to institute a civil action in federal court. *See* 28 U.S.C. § 1915(a)(2). Consequently, the Court issued a deficiency order requiring him to either pay the filing and administrative fees or submit a properly completed application to proceed without prepayment of the filing fee within 30 days – by February 27, 2023. The order provided that if Barber did not do so, the case would be dismissed. Barber has not corrected the deficiency within the allotted time for doing so.

Accordingly, the Court **DISMISSES WITHOUT PREJUDICE** the civil rights complaint. This case is closed. No further pleadings should be filed in this matter. If Barber wishes to proceed with the claims raised in his complaint, he must initiate a new lawsuit and either pay the filing fee or submit a complete application to proceed without prepayment of the filing fee.

**SO ORDERED.**

s/ Linda V. Parker  
LINDA V. PARKER  
U.S. DISTRICT JUDGE

Dated: March 14, 2023

I hereby certify that a copy of the foregoing document was mailed to counsel of record and/or pro se parties on this date, March 14, 2023, by electronic and/or U.S. First Class mail.

s/Aaron Flanigan  
Case Manager